

REPUBLIC OF NAURU

OATHS, AFFIRMATIONS AND STATUTORY DECLARATIONS (AMENDMENT) BILL 2020

EXPLANATORY MEMORANDUM

The *Oaths, Affirmations and Statutory Declarations (Amendment) Bill 2020* is a Bill for the *Oaths, Affirmations and Statutory Declarations (Amendment) Act 2020*.

This memorandum provides an explanation of the Bill and is only intended to indicate the general effect.

EXPLANATION OF CLAUSES

Clause 1 provides that, once enacted, the short title of the Bill will be the *Oaths, Affirmations and Statutory Declarations (Amendment) Act 2020*.

Clause 2 sets out when the Bill's provisions will commence which is upon certification by the Speaker.

Clause 3 is the enabling provision for the amendment of the *Oaths, Affirmations and Statutory Declarations Act 1976*.

Clause 4 amends Section 4 of the Act. This Clause allows proceedings of the court to be conducted without the difficulty of not having witnesses being physically present in court. With virtual technology, this can now be done without the need for the physical presence of the witness. This Clause allows witnesses to take oath virtually in a live video before a Resident Magistrate or Judge. Equally, he or she will be examined by a counsel.

Clause 5 amends Section 5 of the Act. This Clause allows proceedings of a court to be conducted without difficulty of having interpreters being physically present in court. With virtual technology, this can now be done without the need for the physical presence of the interpreter. This Clause allows interpreters to take oath virtually in a live video before a Resident Magistrate or Judge.

Clause 6 amends Section 13 of the Act by clarifying the office holders who may administer statutory declarations for the purposes of the Act.

Clause 7 amends Schedule 2 of the Act to make provision for an oath to be taken by a witness not present in court.

Clause 8 amends Schedule 3 of the Act to make provision for an oath to be taken by an interpreter not present in court.